

City Clerk File No. Ord. 15.005
Agenda No. 3.A 1st Reading
Agenda No. 4.A 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.005

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3
(ADMINISTRATION OF GOVERNMENT) ARTICLE III (MAYOR) AND
ARTICLE XII (DEPARTMENT OF HEALTH AND HUMAN SERVICES)
OF THE JERSEY CITY MUNICIPAL CODE TO MOVE THE OFFICE OF
SENIOR AFFAIRS**

COUNCIL offered and moved adoption of the following Ordinance:

- A. The following amendments to Chapter 3 (Administration of Government) Article III (Mayor) are hereby adopted:

**ADMINISTRATION OF GOVERNMENT
ARTICLE III
Mayor**

§3-10. Through §3-19. No Change.

§3-19.1. Resident Response Center Created; Head. No Change.

§3-19.2. Powers and Duties of the Resident Response Center.

The Resident Response Center shall:

- A. Accept and respond to constituents' complaints and inquires on all aspects of City services and operations to enhance constituent confidence in government by expediting the handling of citizens' complaints and inquires in coordination with the various departments of City government and autonomous agencies.
- B. Maintain an Office of Cultural Affairs, including but not limited to, the City Spirit Program and oversee events as the City Spirit Festival, cultural and heritage events, art shows, street fairs, outdoor concert series, holiday festivals and all other public cultural programs.
- C. Be responsible for all fine, creative and performing arts programs from concept, planning, development and implementation to the development and provision of related and appropriated facilities.
- D. Be responsible for the Diversity and Inclusion Office.

There is hereby created within the Resident Response Center a Diversity and Inclusion Office, which shall be the central coordination and oversight entity for the inter-department collaboration on issues impacting diversity, heritage and inclusion.

- (1) Diversity Functions.
 - (a) Facilitate ethnic diversity and heritage events, art shows, street fairs, outdoor concert series, holiday festivals and all other ethnic heritage programs;

- (b) Act as liaison for the City with other local, county, state and federal governmental agencies; community organizations and groups; nonprofit and faith-based organizations on issues involving diversity and heritage;
- (c) Promote the recognition of the contributions of diverse cultures, ethnic groups, and heritage traditions to and within the City.

(2) Inclusion Functions.

- (a) Oversee the implementation of a Citywide policy for immigrant integration;
- (b) Collaborate existing City services and marshal existing resources to better serve the immigrant population in Jersey City;
- (c) Work collaboratively with community organizations to facilitate the implementation of the delivery of services and programs to the public, foster successful integration of the immigrant population in the City, and ensure that public input into the process is consistently maintained;
- (d) Provide guidance to and act as a resource for the immigrant constituents in the City to assist them through the maze of state, county and local resources that provide targeted services to immigrants, including referrals to nonprofit and faith-based organizations, English language acquisition, citizenship acquisition, accreditation and qualification services, and employment support;
- (e) Strengthen the connections between immigrants and their communities through civic engagement, cultural activities and other opportunities;
- (f) Reduce exploitation of immigrants by fraudulent enterprises, scams and confidence schemes.
- (g) Act as a liaison to and serve as an exofficio member of the Immigrant Affairs Commission, and provide support services thereto.

- E. Maintain an Office of Veteran's Affairs for the purpose of assisting veterans in applying for disability, educational, and other benefits that may exist under federal and state laws. Act as liaison on behalf of veterans with City, County, State and Federal Governmental Agencies. Assist veterans in understanding their veterans' preference rights in public employment and under various tax exemption statutes and other laws.

~~{F. Maintain an Office of Senior Affairs for the purpose of assisting seniors in:~~

- ~~(1) Supervising the administration of various social, recreational, educational, and transportation for senior citizens.~~
- ~~(2) Organizing and operating senior citizen centers and the multipurpose services in relation thereto.~~
- ~~(3) Proposing and evaluating studies of senior citizen problems and programs and acting as city liaison with community groups involved in senior citizen affairs.~~

~~{G.}F. Supervise the central telephone switchboard operation.~~

- B. The following amendments to Chapter 3 (Administration of Government) Article XII (Department of Health and Human Services) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE XII
Department of Health and Human Services

§3-99. No Change.

§3-100. Organization of Department.

Within the Department of Health and Human Services there shall be the following divisions and offices:

- A. Division of Health.
- B. Division of Clinical Services.
- C. Division of Senior Citizen Affairs.

§3-101 Through §3-104.2 No Change.

§3-105. Division of Health. No Change.

§3-106. Division of Clinical Services. No Change.

§3-107. Division of Senior Citizens Affairs.

A. Creation of the Division of Senior Citizens Affairs. There is hereby created within the Department of Health and Human Services the Division of Senior Citizens Affairs.

B. Division of Senior Citizens Affairs; functions.

(1) Under the supervision and direction of the Director of Health and Human Services, the Division of Senior Citizens Affairs shall:

- (a) Supervise the administration of various social, recreational, educational, and transportation for the City's senior citizens.
- (b) Organize and operate senior citizen centers and the multipurpose services in relation thereto.
- (c) Propose and evaluate studies of senior citizen problems and programs and acting as city liaison with community groups involved in senior citizen affairs.

§3-108. Through §3-109. No Change.

- C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- D. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This ordinance shall take effect at the time and in the manner as provided by law; however, the amendments to Section 3.72 (B) and (E), Division of Sanitation, concerning garbage disposal and solid waste/recycling shall only take effect should the Municipal Council decide to dissolve the Jersey City Incinerator Authority and the dissolution is approved by the Local Finance Board pursuant to N.J.S.A. 40A:5A-20.
- F. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

/s/
1/20/15

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Business Administrator

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.005

TITLE:

3.A JAN 28 4.A

FEB 10 2015

Ordinance amending and supplementing (Chapter 3
(Administration of Government) Article III (Mayor) and Article
XII (Department of Health and Human Services) of the Jersey City
Municipal Code to move the Office of Senior Affairs to the
Department of Health and Human Services.

RECORD OF COUNCIL VOTE ON INTRODUCTION

JAN 28 2015 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING

FEB 10 2015 9-0

Councilperson OSBORNE moved, seconded by Councilperson WATTERMANN to close P.H.

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE

FEB 10 2015 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JAN 28 2015**

Adopted on second and final reading after hearing on **FEB 10 2015**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **FEB 10 2015**

Sean J. Hallinan, Deputy
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date

FEB 10 2015

APPROVED:

Steven M. Fulon
Steven M. Fulon, Mayor

Date

FEB 11 2015

Date to Mayor

FEB 11 2015

City, Clerk, File No. Ord. 15.006
Agenda No. 3.B 1st Reading
Agenda No. 4.B 2nd Reading & Final Passage

ORDINANCE OF JERSEY CITY, N.J.



COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.006

TITLE:

**AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED PROPERTY
LOCATED AT 362 SUMMIT AVENUE WITHIN THE JOURNAL SQUARE 2060
REDEVELOPMENT AREA TO THE JERSEY CITY REDEVELOPMENT AGENCY**

WHEREAS, the City of Jersey City is the owner of a certain parcel of real property known and designated as:

<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
12301	2	362 Summit Avenue

situated in the City of Jersey City, Hudson County, New Jersey; and as more particularly shown on the Official Assessment Map and referenced in the designation assigned to individual tax lot in the records of the Tax Assessor (hereinafter "Property"); and

WHEREAS, the Municipal Council of the City of Jersey City has declared, that the Property contained within the Journal Square 2060 Redevelopment Area is an area deemed "area in need of rehabilitation" pursuant to N.J.S.A. 40A:55-12 et. seq.; and

WHEREAS, the Municipal Council adopted, by Ordinance No.10-103 at its meeting of August 25, 2010, the Journal Square 2060 Redevelopment Plan; and

WHEREAS, the Property lies within the legally established boundaries of the Journal Square 2060 Redevelopment Plan Area; and

WHEREAS, the Jersey City Redevelopment Agency has development responsibilities within the Journal Square 2060 Redevelopment Area to effectuate the rehabilitation, redevelopment and revitalization of the Journal Square 2060 Redevelopment Area for the sale of property to Vaishno MA Summit, LLC with 35 parking spaces for 18 months; and

WHEREAS, the Jersey City Redevelopment Agency has deemed it necessary to request a transfer of Property from the City of Jersey City to accomplish activities in support of redevelopment within the Journal Square 2060 Redevelopment Plan; and

WHEREAS, the City of Jersey City may grant a transfer of the Property to the Jersey City Redevelopment Agency pursuant to N.J.S.A. 40A:12A-39(a) & (f).

**AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED PROPERTY
LOCATED AT 362 SUMMIT AVENUE WITHIN THE JOURNAL SQUARE 2060
REDEVELOPMENT AREA TO THE JERSEY CITY REDEVELOPMENT AGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of
Jersey City that:

1. Pursuant to N.J.S.A. 40A:12A-39(a) & (f) a transfer of Property known as

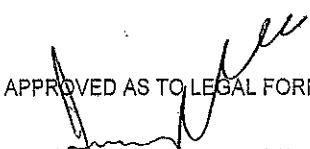
<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
12301	2	362 Summit Avenue

to the Jersey City Redevelopment Agency is hereby authorized.

2. That the Mayor, Business Administrator and appropriate Division of the
municipality hereby authorize a transfer of the aforesaid Property to the Jersey
City Redevelopment Agency.

- A. All Ordinances and part of Ordinances inconsistent herewith are hereby
repealed.
- B. This Ordinance shall be part of the Jersey City Code as though codified
and fully set forth therein. The City Clerk shall have this Ordinance
codified and incorporated in the official copies of the Jersey City Code.
- C. This Ordinance shall take effect at the time and in the manner as provided
by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby
authorized and directed to change any chapter numbers, article numbers
and section numbers in the event that the codification of the Ordinance
reveals that there is a conflict between those numbers and the existing
code in order to avoid confusion and possible accidental repealers of
existing provisions.

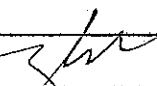
APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____



Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE AUTHORIZING A TRANSFER OF CITY-OWNED PROPERTY LOCATED AT 362 SUMMIT AVENUE WITHIN THE JOURNAL SQUARE 2060 REDEVELOPMENT AREA TO THE JERSEY CITY REDEVELOPMENT AGENCY

Initiator

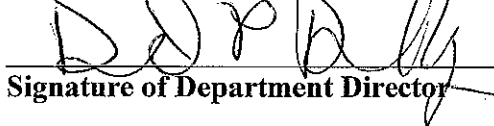
Department/Division	Jersey City Redevelopment Agency	
Name/Title	David Donnelly	EXECUTIVE DIRECTOR
Phone/email	201-761-0820	donnellyd@jcnj.ORG

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The Jersey City Redevelopment Agency is requesting the property in the Journal Square 2060 Redevelopment Area to effectuate the rehabilitation, redevelopment and revitalization initiatives of the Journal Square 2060 Redevelopment Plan for the sale of property to Vaishno MA Summit, LLC and the contingency of 35 parking spaces for 18 months.

I certify that all the facts presented herein are accurate.

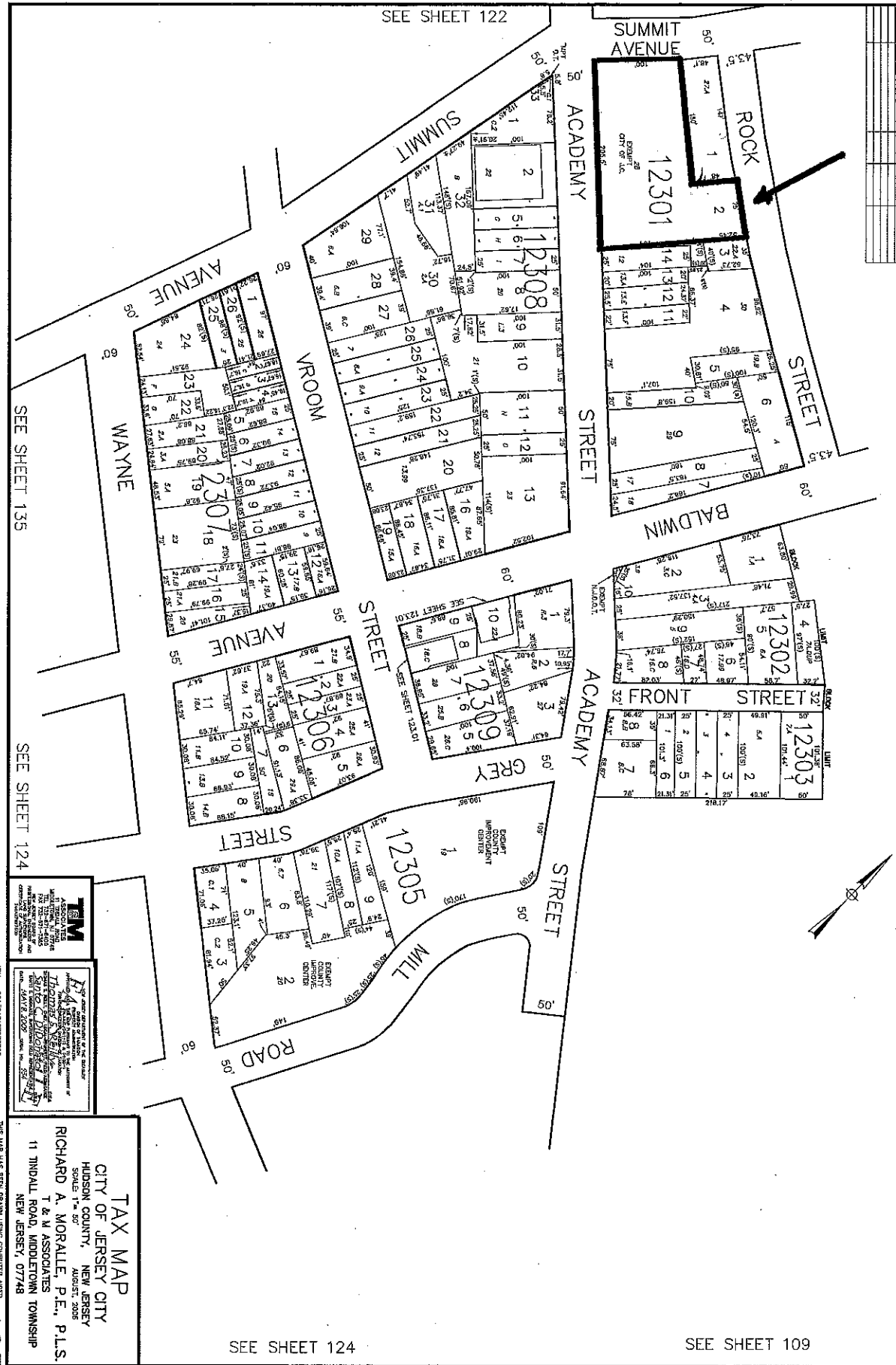

Signature of Department Director

Date

DATE	BY	REVISIONS	BLOCK	LOT
10/20/03	JOHN B. J. JENNISON	1		

SEE SHEET 108

SEE SHEET 109



TAX MAP
 CITY OF JERSEY CITY
 HUDSON COUNTY, NEW JERSEY
 SCALE 1" = 50'
 AUGUST, 2008
RICHARD A. MORALLE, P.E., P.L.S.
 T & M ASSOCIATES
 11 TINDALL ROAD, MIDDLETOWN TOWNSHIP
 NEW JERSEY, 07748

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.006

TITLE:

3.B JAN 4.B

FEB 10 2015

An ordinance authorizing the transfer of city-owner property located at 362 Summit Avenue within the Journal Square 2060 Redevelopment Area to the Jersey City Redevelopment Agency.

RECORD OF COUNCIL VOTE ON INTRODUCTION

JAN 28 2015 7-2

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING

FEB 10 2015 9-0

Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE

FEB 10 2015 7-2

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JAN 28 2015**

Adopted on second and final reading after hearing on **FEB 10 2015**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **FEB 10 2015**

Robert Byrne, City Clerk
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date **FEB 10 2015**

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date **FEB 11 2015**

Date to Mayor **FEB 11 2015**

City Clerk File No. _____ Ord. 15.009
Agenda No. _____ 3.E _____ 1st Reading
Agenda No. 4.C. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.009

TITLE: ORDINANCE AUTHORIZING THE CANCELLATION AND REIMBURSEMENT OF TAXES PURSUANT TO N.J.S.A. 54:4-3.6c FOR PROPERTY OWNED BY MARGARET ANNA CUSACK CARE CENTER, INC., AND LOCATED AT 251 BALDWIN AVENUE, ON BLOCK 09606, LOT 8

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, Margaret Anna Cusack Care Center, Inc., a non for profit skilled nursing facility, is the owner of 251 Baldwin Avenue, Block 09606, Lot 8; and

WHEREAS, the property located at 251 Baldwin Avenue, Block 09606, Lot 8, was transferred from the Sisters of St. Joseph of Peace to Margaret Anna Cusack Care Center, Inc., in June 2009 as part of a reorganization, with the intent to develop a "Healing Garden" for therapeutic use by the nursing home residents/patients; and

WHEREAS, the property had been designated tax-exempt as of 2009 and was continuously used for tax-exempt purposes; and

WHEREAS, Margaret Anna Cusack Care Center, Inc., failed to timely file an amendment to its Further Statement for the year 2014, pursuant to N.J.S.A. 54:4-4.4, indicating the above facts which would have entitled it to a continuation of an exemption from real property taxes; and

WHEREAS, as the result of the failure to file, the property was returned to the tax rolls beginning in tax year 2014 until 2015, after which Margaret Anna Cusack Care Center, Inc., filed its Further Statement; and

WHEREAS, in January 2015, Margaret Anna Cusack Care Center, Inc., finally filed a Further Statement, together with a certification indicating good cause for the late filing, which certification is attached hereto; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.6c, the Municipal Council may cancel the taxes which were levied against tax exempt property for up to three (3) years, provided good cause has been shown for the late filing of the Further Statement and the Tax Assessor confirms that the subject property would have been tax exempt had the Further Statement been timely filed; and

WHEREAS, Margaret Anna Cusack Care Center, Inc., having paid the taxes is seeking a reimbursement from the City of the sum of \$2,268.35, which it paid to avoid a tax lien sale.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

ORDINANCE AUTHORIZING THE CANCELLATION OF TAXES PURSUANT TO N.J.S.A. 54:4-3.6c FOR PROPERTY OWNED BY MARGARET ANNA CUSACK CARE CENTER, INC., AND LOCATED AT 251 BALDWIN AVENUE, ON BLOCK 09606, LOT 8

1. Good cause has been shown for the late filing of the amended Further Statement for 2014-2015 for property owned by Margaret Anna Cusack Care Center, Inc., and located at 251 Baldwin Avenue, on Block 09606, Lot 8; and
 2. Pursuant to N.J.S.A. 54:4-3.6c, the Tax Collector is hereby authorized to cancel the real estate taxes that had been levied in 2014 through 2015, since the Tax Assessor has confirmed that the subject property would have been eligible for tax exempt status in 2014 through 2015, but for the late filing of the Further Statement; and
 3. The Tax Assessor is authorized to reimburse Margaret Anna Cusack Care Center, Inc., for taxes it paid to avoid a tax sale.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/he
1/20/15

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

margaret anna

cusack care center



— short and long-term skilled nursing care —
at the historic St. Joseph's Home for the Blind

Certification of the Chief Executive Officer of Margaret Anna Cusack Care Center concerning the continuation of the tax exempt status of property located at 251 Baldwin Avenue, Jersey City, New Jersey 07306 (Block 09606, Lot 8)

I, THOMAS P. SHEEHY, JR., being of full age, certify as follows:

1. I am the Chief Executive Officer of Margaret Anna Cusack Care Center at St. Joseph's Home for the Blind, 537 Pavonia Avenue, Jersey City, New Jersey 07306, a 139 bed not for profit skilled nursing facility.
2. The property located at 251 Baldwin Avenue (Block 09606, Lot 8) was transferred from the Sisters of St. Joseph of Peace to Margaret Anna Cusack Care Center Inc. In June 2009 as part of a reorganization.
3. The building on this site, formerly used for the St. Joseph's School for the Blind, was demolished in 2010 with the intent to develop a "Healing Garden" on the site for the therapeutic use by the nursing home residents/patients at Margaret Anna Cusack Care Center.
4. Plans were developed and application was submitted to the Jersey City Planning Board for approval that was received in November 2011.
5. The construction of the Healing Garden was completed in 2013 and the Garden has been utilized by the residents/patients of Margaret Anna Cusack Care Center since that time.
6. The property had been designated tax-exempt and continues to be used for tax-exempt purposes.
7. We were not aware of the need to file a Further Statement with the Office of the Jersey City Tax Assessor at the time of building demolition/garden development in order to maintain the tax-exempt status of the property.
8. We do not recall receiving notice regarding the tax status of the property but notice may have been sent to the Sisters of St. Joseph of Peace at 399 Hudson Terrace, Englewood Cliffs, NJ 07632 instead of Margaret Anna Cusack Care Center Inc., 537 Pavonia Avenue, Jersey City, New Jersey 07306.

9. To the best of my knowledge, the foregoing statements made by me are true.
I am aware that if any of the foregoing statements made by me are willfully false, I
will be subject to punishment.

Thomas P. Sheehy Jr.
THOMAS P. SHEEHY, JR.
Chief Executive Officer
Margaret Anna Cusack Care Center

Dated: December 5, 2014

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.009

TITLE: 3.E JAN 4.C FEB 1.0 2015

Ordinance authorizing the cancellation and reimbursement of taxes pursuant to N.J.S.A. 54:4-3.6c for property owned by Margaret Anna Cusack Care Center, Inc., and located at 251 Baldwin Avenue, on Block 09606, Lot 8.

RECORD OF COUNCIL VOTE ON INTRODUCTION JAN 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 10 2015 9-0											
Councilperson <u>LAVARRO</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____				& adopted							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 10 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 28 2015

Adopted on second and final reading after hearing on FEB 10 2015

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 10 2015

Robert Byrne, City Clerk
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date FEB 10 2015

APPROVED:

Steven M. Fulop, Mayor

Date FEB 11 2015

Date to Mayor FEB 11 2015

City Clerk File No. Ord. 15.011

Agenda No. 3.G 1st Reading

Agenda No. 4.D. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.011

TITLE: AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19006, LOT 33, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 372 PACIFIC AVENUE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City as an area in need of rehabilitation, is authorized to adopt an ordinance to utilize tax exemptions pursuant to N.J.S.A. 40A:21-1, et seq., the Five (5) Year Exemption and Abatement Law; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the City of Jersey City adopted Ordinance 05-060, Section 304-6 et seq. of the Municipal Code, to allow Five (5) Year Tax Exemptions which allows the Tax Assessor to regard the full and true value or a portion thereof of certain improvements as not increasing the full and true value of certain property for a period of five (5) years, provided the owner's application is approved by the Tax Assessor and by Ordinance of the Municipal Council; and

WHEREAS, pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code, a tax exemption for the construction of a new three (3) story mixed use Multiple Dwelling project on the Property containing five (5) market rate residential rental units, of which one residential unit will be located on the ground floor along with 858 square feet of commercial/retail space, is permitted for a period of five (5) years; and

WHEREAS, 372 Pacific Avenue [Entity], is the owner of Property designated as Block 19006, Lot 33, on the City's Tax Map and more commonly known by the street address of 372 Pacific Avenue, Jersey City, NJ; and

WHEREAS, the Entity has constructed a new three (3) story mixed use Multiple Dwelling project containing five (5) market rate residential rental units and 858 square feet of commercial/retail space on the ground floor on the Property; and

WHEREAS, construction has been substantially complete and a Certificate of Occupancy was issued on January 17, 2013; and

WHEREAS, on February 6, 2013 (as amended on October 9, 2013), the Entity filed an application for a five (5) year tax exemption for a new mixed use Project, and paid the application fee of \$3,500, a copy of which application is attached hereto; and

WHEREAS, 372 Pacific Avenue, proposes to pay the City (in addition to the full taxes on the land, which shall continue to be conventionally assessed and are currently taxed at the sum of \$929) a tax payment for the new improvements on the property, as follows:

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19006, LOT 33, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 372 PACIFIC AVENUE

- (a) 2015: the tax year in which the structure will be completed. \$0 taxes due on improvements;
- (b) 2016: the second tax year, 20% of taxes otherwise due on improvements, estimated to be \$1,933;
- (c) 2017: the third tax year, 40% of taxes otherwise due on improvements, estimated to be \$3,866;
- (d) 2018: the fourth tax year, 60% of taxes otherwise due on improvements, estimated to be \$5,799; and
- (e) 2019: the fifth tax year, 80% of taxes otherwise due on improvements, estimated to be \$7,731;

WHEREAS, the Tax Assessor has determined that the new construction will generate an additional tax payment of \$929 for land and \$9,664 for improvements, for a total of \$10,593 a year; and

WHEREAS, the applicant has agreed that in the event the Citywide revaluation results in a decrease in the estimated amount of actual taxes otherwise due, then for purposes of calculating a tax payment hereunder and for the five (5) year period, the amount shall be calculated on the higher of the amount estimated hereunder or the actual taxes otherwise due; and

WHEREAS, the application for tax exemption was complete and timely filed; the application was approved by the Tax Assessor and the commercial Project is eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code; and

WHEREAS, upon the expiration of the tax exemption, the total assessment, including both land and improvements, will generate a total tax payment of \$10,593; and

WHEREAS, 372 Pacific Avenue has agreed to pay the sum of \$8,787 to the City's Affordable Housing Trust Fund, which shall be paid in intervals set forth in Section 304-28 of the Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The application, attached hereto, for a five (5) year tax exemption for the full and true value of a new three (3) story mixed use Multiple Dwelling project on the Property containing five (5) market rate residential rental units, of which one residential unit will be located on the ground floor along with 858 square feet of commercial/retail space, located in Block 19006, Lot 33, and more commonly known by the street address of 372 Pacific Avenue, Jersey City, N.J., is hereby approved.

2. The Mayor or Business Administrator is hereby authorized to execute a tax exemption agreement which shall contain at a minimum, the following terms and conditions:

- (a) tax payment on the new improvements shall be:
 - (i) Year 1: the tax year in which the structure will be completed. \$0 taxes;

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19006, LOT 33, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 372 PACIFIC AVENUE

- (ii) Year 2: the second tax year, 20% of taxes otherwise due on improvements, estimated to be \$1,933;
- (iii) Year 3: the third tax year, 40% of taxes otherwise due on improvements, estimated to be \$3,866;
- (iv) Year 4: the fourth tax year, 60% of taxes otherwise due on improvements, estimated to be \$5,799; and
- (v) Year 5: the fifth tax year, 80% of taxes otherwise due on improvements, estimated to be \$7,731.

The applicant has agreed that in the event the Citywide revaluation results in a decrease in the amount of actual taxes otherwise due for purposes of calculating a tax payment hereunder; during this five (5) year period, the amount due hereunder shall be calculated on the higher of the amount estimated above or the actual taxes due after the revaluation; and

(b) The project shall be subject to all federal, state and local laws, and regulations on pollution control, worker safety, discrimination in employment, zoning, planning, and building code requirements pursuant to N.J.S.A. 40A:21-11(b).

(c) If, during any tax year prior to the termination of the tax agreement, the property owner ceases to operate or disposes of the property, or fails to meet the conditions for qualifying, then the tax which would have otherwise been payable for each tax year shall become due and payable from the property owner as if no exemption and abatement had been granted. The collector forthwith ad the tax collector shall, within 15 days thereof, notify the owner of the property of the amount of taxes due.

(d) With respect to the disposal of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the agreement shall remain in effect.

(e) At the termination of a tax exemption agreement, the new improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of an agreement, from qualifying for, an receiving the full benefits of, any other tax preferences provided by law.

(f) Affordable Housing Trust Fund: \$1,500 per unit or \$7,500 and \$1.50 per 858 square feet of commercial retail space or \$1,287, for a total of \$8,787.

3. An obligation to execute a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses.
4. The form of tax exemption agreement is attached hereto as Exhibit B, subject to such modification as the Corporation counsel or Business Administrator deems necessary.

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ. AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19006, LOT 33, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 372 PACIFIC AVENUE

5. The Tax Agreement shall be executed by the Entity no later than 90 days following adoption of the within ordinance. Failure to comply shall result in a repeal of the herein ordinance and the tax exemption will be voided.
6. The Tax Assessor shall send a copy of the fully executed Financial Agreement will be sent to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of execution pursuant to N.J.S.A. 40a:21-11(d).
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner provided by law.
- D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

Dj/he
1/20/15

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

An Ordinance Approving A Five-Year Tax Exemption for a Market Rate, Mixed-use Rental Project known as 372 Pacific Avenue, Block 19006, Lot 33
Constructed by Dharmesh M. Patel Under the Short-Term Tax Exemption Law N.J.S.A. 40A:21-1 et. seq.

Initiator

Department/Division	Mayor's Office	
Name/Title	Brian Platt	
Phone/email	(201) 547-4513	bplatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The applicant, Dharmesh M. Patel, is applying for a five (5) Year tax abatement for a mixed-use, owner occupied, rental project under N.J.S.A.40 A: 21-1 et seq. The fee of \$3,500 was paid with the application. The construction began prior to the requirement that five-year abatement applications must be submitted before the start of construction.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 15.011
TITLE: 3.0 JAN 4.D

FEB 10 2015

An ordinance approving a five (5) year tax exemption pursuant to the provisions of N.J.S.A 40A:21-1, et seq., and Section 304-12 of the Municipal Code for property designated as Block 19006, Lot 33, on the city's tax map and more commonly known by the street address of 372 Pacific Avenue.

RECORD OF COUNCIL VOTE ON INTRODUCTION JAN 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 10 2015 9-0											
Councilperson <u>LAVARRO</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 10 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JAN 28 2015**

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Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

FEB 10 2015

APPROVED:

Steven M. Fulop, Mayor

Date

FEB 11 2015

Date to Mayor

FEB 11 2015